



ATTORNEY DOCKET NO. TB 104IA-US 1915/13971US02

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicants:

Sander, Tom, *et al.*

U.S. Serial No.: 09/701,933

Filed: August 20, 2001

For: "ELONGATED CORTICAL BONE
IMPLANT" (AS AMENDED)

Group Art Unit: 3738

Examiner: Bruce Edward Snow

CERTIFICATE OF MAILING

I hereby certify that this paper (and all papers referred to herein) is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

December 29, 2003

Michael B Harlin

Michael B. Harlin
Registration No. 43,658
Attorney for Applicants

RESPONSE UNDER 37 C.F.R. § 1.114

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Official Action of 09/29/03, finally rejecting all claims (claims 59-71), for which a response was filed 11/23/03 proffering an amendment to the specification and claim 65, which was denied in the Advisory Action of 12/10/03, the Applicants hereby request continued examination under 37 C.F.R. § 1.114. In requesting continued examination, the Applicants request that the Examiner enter the amendments to the specification and to claim 65 as submitted in the Applicants' Second Response Under 37C.F.R. § 1.116, filed 11/23/03.

This document is accompanied by a check in the amount of \$770.00 to cover the fee under 37 C.F.R. § 1.17(e). In the event that any additional fee is due as a result of filing this paper, the Assistant Commissioner is hereby authorized to charge such fees to deposit account No. 13-0017 in the name of McAndrews, Held & Malloy.

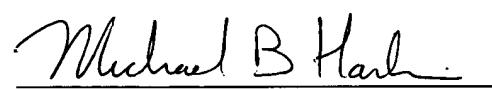
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U.S. PATENT AND TRADEMARK OFFICE

#28
Rec'd for R.C.P.
Response
S. Bruce
11/23/03

Respectfully submitted,

McANDREWS, HELD & MALLOY, LTD.

By:



Michael B. Harlin

Registration No. 43,658

Attorney for Applicants

500 West Madison Street

Suite 3400

Chicago, Illinois 60661

(312) 775-8133

Dated: December 29, 2003

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 4

Application Number 09/701,933

Filing Date 08/20/01

First Named Inventor Tom Sander, et al.

Group Art Unit 3738

Examiner Name Bruce Edward Snow

Attorney Docket Number 1915/13971US02

ENCLOSURES (check all that apply)

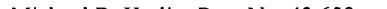
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached - \$770.00	<input type="checkbox"/> Drawing(s) (sheets)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Response Under 37 C.F.R. §1.114	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Reply postcard
<input type="checkbox"/> PTO 1449/08A with references	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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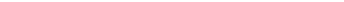
TECHNOLOGY CENTER

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Michael B. Harlin, Reg. No. 43,658 McAndrews Held & Malloy, Ltd.
Signature	
Date	December 29, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 29, 2003

Name (Print/type)	Michael B. Harlin	Registration No. (Attorney/Agent)	43,658
Signature		Date	12/29/03



PTO/US/17 (11-00)

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Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Patent Fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$770.00)

Complete if Known	
Application Number	09/701,933
Filing Date	08/20/01
First Named Inventor	Tom Sander, et al.
Examiner Name	Bruce Edward Snow
Group Art Unit	3738
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METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																																																
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 5px;">13-0017</td> </tr> <tr> <td style="text-align: center; padding: 5px;">McAndrews Held & Malloy</td> </tr> </table> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>				13-0017	McAndrews Held & Malloy	<p>3. 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SUBMITTED BY						Complete (if applicable)
Name (Print/Type)	Michael B. Harlin	Registration No. (Attorney or Agent)	43,658	Telephone	312/775-8000	
Signature	<i>Michael B. Harlin</i>			Date	December 29, 2003	

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